

# **MINUTES OF A REGULAR MEETING OF THE RESOURCE CONSERVATION COMMISSION**

**December 20, 2004**

PSB Conference Room 1  
276 Fourth Avenue

**MEETING CALLED TO ORDER** by Chair Doug Reid at 6:00 p.m.

## **ROLL CALL/MOTION TO EXCUSE**

**MEMBERS PRESENT:** Chair Doug Reid, Vice-Chair John Chávez, Commissioners Teresa Thomas, Juan Diaz, Stanley Jasek, Pamela Bensoussan and Tracy Means

**STAFF PRESENT:** Marilyn Pongeggi, Environmental Review Coordinator  
Marisa Lundstedt, Environmental Projects Manager  
Maria Muett, Associate Planner  
Linda Bond, Recording Secretary

**OTHERS PRESENT:** David Krogh, Chula Vista resident

**APPROVAL OF MINUTES:** November 15, 2004

**MSC** (Jasek/Mean) to approve the November 15, 2004 minutes as submitted. **Vote:** (6-0-0-1) with Diaz abstaining.

**ORAL COMMUNICATIONS:** None.

## **NEW BUSINESS**

### **1. IS-04-001 – Serrano Family Tentative Parcel Map, 669 E. Naples Street**

Ms. Maria Muett (*Associate Planner*) gave an overview of the project. The proposal consists of subdividing the 1.3-acre site into four 10,000 square foot lots. The project has been found to be consistent with the General Plan, zoning and adopted Chula Vista MSCP Subarea Plan. Minimal sensitive plants are on the site.

**MSUC** (Diaz/Chávez) to recommend that the City Council adopt the Mitigated Negative Declaration. **Vote:** (7-0)

**ENVIRONMENTAL REVIEW COORDINATOR COMMENTS****2. Proposal of a joint Planning Commission/Design Review Committee/Resource Conservation Commission meeting regarding the Urban Development Corporation (UDC)**

Ms. Marilyn Pongeggi (*Environmental Review Coordinator*) stated that the Planning Commission has requested a meeting with the Resource Conservation Commission and the DRC to discuss the proposed UDC.

**MSUC** (Bensoussan/Thomas) to request that the RCC have a joint meeting with the Planning Commission and Design Review Committee the week of January 10<sup>th</sup> for the purpose of discussing the adopted UDC and for the purpose of discussing and possibly proposing alternative procedures for citizen input.

Discussion

Commissioner Bensoussan had spoken to members of the Planning Commission who are very concerned that the meeting take place as quickly as possible to be the most productive.

Vice-Chair Chávez stated that there has been a general feeling that we would like to discuss it openly and collectively as soon as possible and that February would be too late. He also requested a copy of the UDC report for all RCC members as soon as possible. **Ms. Pongeggi** would include the report in their next packet.

**Vote:** (7-0)

**CHAIR COMMENTS:** None.

**COMMISSIONER COMMENTS**

Commissioner Means asked to be excused from the January 3, 2005 meeting.

Commissioner Thomas indicated that there were items that the RCC had asked to be agendaized during the course of this past year. Maybe one of those could be a part of the next agenda? **Ms. Pongeggi** suggested that it would be difficult to add anything to the agenda of the 3<sup>rd</sup> because the City is closed the week between Christmas and New Years, and there is a lot of activity going on to get the General Plan and General Plan EIR out for public review.

Commissioner Thomas stated that at the last meeting the RCC was promised that they would see the environmental part of the General Plan Update before it became a part of the EIR.

Vice-Chair Chávez wanted to more clearly understand the constraints about discussion or action on items that may be related to an agenda item but not explicitly part of it as stated on the agenda. **Ms. Pongeggi** stated that staff has been advised by the Attorney's Office that the Brown Act requires that the Commission only discuss those items that are on the agenda.

Vice-Chair Chávez asked if the RCC could have a presentation on the Brown Act because the RCC is a deliberative body that brings expertise and comment, and muzzling them to the extent where they are limited to one sentence, and anything outside that sentence does not appear to be reasonable for a public process. **Ms. Pongeggi** stated that the Brown Act governs every

public body in this State, and is most specific about how items need to be placed on the agenda and what can be discussed because of public disclosure. She would request that the City Attorney's office give the RCC a presentation on the Brown Act.

Commissioner Bensoussan requested that the UDC, in general, be put on the January 3<sup>rd</sup> agenda so the Commissioners could comment on it (the corporation, the whole redevelopment area) before they go into the joint meeting with the Planning Commission and Design Review Committee.

Vice-Chair Chávez suggested it be narrowed to the citizen review portion of the UDC only.

Commissioner Thomas would also like to address the composition of the UDC.

Vice-Chair Chávez suggested that the RCC discuss citizen participation in general. He suggested that somebody from Community Development associated with the UDC be there and that the July report be made available prior to the January 3<sup>rd</sup> meeting.

**MSUC** (Bensoussan/Thomas) to place UDC citizen participation on the January 3, 2005 RCC agenda for Commissioner comments. **Vote:** (7-0)

Chair Reid stated that he did have a speaker slip from the public.

Mr. David Krogh (*712 East 'J' Street, Chula Vista, CA 91910*) stated that he is a Commissioner on the Growth Management Oversight Commission who came to the meeting to observe. He was particularly interested in transportation and traffic and inquired about the CEQA Initial Study Checklist, particularly questions regarding traffic. He asked for clarification on the traffic threshold as it relates to the County Congestion Management Agency. **Ms. Pongseggi** explained that the form he was looking at is a form that comes from the California Environmental Quality Act and is used Statewide. She further explained that congestion management plans pertain to large projects not the one on tonight's agenda.

Mr. Krogh requested further clarification about traffic thresholds.

Commissioner Thomas voiced concern regarding the CalTrans project on Orange Avenue taking so long to complete. **Ms. Pongseggi** indicated that the project is on schedule.

Commissioner Bensoussan requested that someone give the RCC a briefing of what's going on with the historic preservation project and the whole plan that the City Council adopted over a year ago, particularly with regards to the Urban Core Specific Plan and the historic survey. Commissioner Bensoussan wanted to know what was going on with the Heritage Museum building since that is also a historic resource. She is on the Heritage Museum Society Board of Directors but did not know what was going on. **Ms. Pongseggi** had spoken to David Palmer (*Assistant City Manager*) to let him know of the Commissions' interest in having a presentation on it. He advised her that the earliest that any information would be available for him to come speak to this Commission would be February or March.

Commissioner Bensoussan was seeking clarification about what happens with unidentified but historical resources when they get involved in a Community Development redevelopment issue. For example, a property owner had asked her if there was any clarity she could give them when they feel their property is being threatened by redevelopment. The family received something from Community Development soliciting their interest in owner participation and request for

submission of alternative development proposal. **Ms. Pongseggi** stated that it was more appropriate for the questions to be taken up with the Community Development Department. The only question that this Commission would be asked is whether or not the house should be designated historic. There is not a specific project proposed at this point, which if there were, the environmental document would come through the RCC.

Commissioner Bensoussan asked if the EIR would come through the RCC if it's Community Development? **Ms. Pongseggi** stated that, if it were a document that required public review such as a Mitigated Neg Dec, a Negative Declaration or an EIR, it would come before this body.

Commissioner Bensoussan thought that designation through the City's ordinance on the ~~second level of the ordinance~~ historic permit level of designation would afford an extra level of protection if the project were not big enough to require an EIR.

**ADJOURNMENT:** Chair Reid adjourned the meeting at 7:10 p.m. to a regular meeting on Monday, January 3, 2005, at 6:00 p.m. in the Ken Lee Building Conference Room, 430 "F" Street, Chula Vista, CA 91910.

Prepared by:

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Linda Bond  
Recording Secretary